



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SAUL CHILL and SYLVIA CHILL,

Plaintiffs,

-against-

CALAMOS ADVISORS LLC and
CALAMOS FINANCIAL SERVICES LLC,

Defendants.

15-CV-01014 (ER) (BCM)

ORDER

BARBARA MOSES, United States Magistrate Judge.

The Court has received and reviewed plaintiffs' letter dated February 21, 2017 (Dkt. No. 45), requesting an informal discovery conference concerning the application of the fiduciary exception to the attorney-client privilege "with respect to legal advice sought by a mutual fund's independent trustees in a case brought by the fund's shareholders." *Id.* The court has also received and reviewed the non-party trustees' response dated February 22, 2017 (Dkt. No. 46), defendants' response, dated February 22, 2017 (Dkt. No. 47), and plaintiffs' reply, dated February 24, 2017. (Dkt. No. 48.)

The Court will conduct a telephonic discovery conference on **Friday, March 3, 2017, at 10:00 a.m.** It is plaintiffs' counsel's responsibility to arrange a conference call bridge and to contact chambers with all counsel on the line a few minutes before the conference. In the event of an unavoidable scheduling conflict, counsel are directed to contact courtroom deputy Kevin Snell at (212) 805-0228.

The parties should be prepared to discuss the question whether the Southern District of New York has the authority to decide the issue in dispute. *See* Fed. R. Civ. P. 45(d)(2)(B)(i); *United States ex rel. Ortiz v. Mount Sinai Hosp.*, 169 F.Supp.3d 538 (S.D.N.Y. 2016) (Moses, M.J.).

Dated: New York, New York
February 28, 2017

SO ORDERED.

A handwritten signature in blue ink, appearing to read "Barbara Moses", written over a horizontal line.

BARBARA MOSES
United States Magistrate Judge